

MAY 20, 2013.

Hon. JOHN A. BOEHNER,  
*Speaker, The Capitol, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 20, 2013 at 11:33 a.m.:

That the Senate passed S. 982.  
 Appointments:  
 Commission on Security and Cooperation in Europe (Helsinki).

With best wishes, I am  
 Sincerely,

KAREN L. HAAS,  
*Clerk.*

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 13 minutes p.m.), the House stood in recess.

□ 1703

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WENSTRUP) at 5 o'clock and 3 minutes p.m.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

MAY 20, 2013.

Hon. JOHN A. BOEHNER,  
*The Speaker, The Capitol, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 20, 2013 at 1:42 p.m.:

That the Senate agreed to S. Con. Res. 16.  
 With best wishes, I am  
 Sincerely,

KAREN L. HAAS,  
*Clerk.*

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

## STOLEN VALOR ACT OF 2013

Mr. COLLINS of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 258) to amend title 18, United States Code, with respect to fraudulent representations about hav-

ing received military declarations or medals.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 258

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Stolen Valor Act of 2013".

### SEC. 2. FRAUDULENT REPRESENTATIONS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.

(a) IN GENERAL.—Section 704 of title 18, United States Code, is amended—

(1) in subsection (a), by striking "wears,"; and

(2) so that subsection (b) reads as follows:

"(b) FRAUDULENT REPRESENTATIONS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.—Whoever, with intent to obtain money, property, or other tangible benefit, fraudulently holds oneself out to be a recipient of a decoration or medal described in subsection (c)(2) or (d) shall be fined under this title, imprisoned not more than one year, or both."

(b) ADDITION OF CERTAIN OTHER MEDALS.—Section 704(d) of title 18, United States Code, is amended—

(1) by striking "If a decoration" and inserting the following:

"(1) IN GENERAL.—If a decoration";

(2) by inserting "a combat badge," after "1129 of title 10,"; and

(3) by adding at the end the following:

"(2) COMBAT BADGE DEFINED.—In this subsection, the term 'combat badge' means a Combat Infantryman's Badge, Combat Action Badge, Combat Medical Badge, Combat Action Ribbon, or Combat Action Medal."

(c) CONFORMING AMENDMENT.—Section 704 of title 18, United States Code, is amended in each of subsections (c)(1) and (d) by striking "or (b)".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. COLLINS) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

### GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 258, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

This Nation is blessed with many valiant men and women who have dedicated their lives to military service. My home State of Georgia has no shortage of these heroes, including Technical Sergeant Barry Duffield, who serves as a bomb disposal technician in the Georgia Guard's 116th Air Control Wing.

While deployed to Afghanistan, Sergeant Duffield's job was to oversee teams responsible for an incredibly dangerous job—neutralizing improvised explosive devices, or IEDs. Sergeant

Duffield and his colleagues successfully completed 52 missions and helped destroy more than 1,200 pounds of enemy explosives. On January 7, 2013, Sergeant Duffield was awarded the Purple Heart for injuries he suffered during an IED detonation while deployed to Afghanistan in 2011. Sergeant Duffield also earned the Bronze Star and the Air Force Combat Action Medal for his valor during the same deployment.

The Purple Heart is one of the oldest and most recognized American military medals—dating back to 1782 when George Washington created what was then called the Badge of Military Merit to award "any singularly meritorious action" by a member of the military. Today, the Purple Heart is awarded to servicemembers like Sergeant Duffield who were killed or wounded by enemy action.

For almost 100 years, it has been a Federal crime to wear, manufacture, or sell military decorations or medals without proper authorization. In spite of this, many people have fraudulently claimed to be the recipient of military decorations, and this has unfortunately increased in recent years. In just one State, 600 people claimed on tax forms to be a recipient of the Medal of Honor in 1 year, even though at the time there were only 132 recipients alive nationwide.

To address this increase of fraudulent claims, in 2006 Congress enacted the Stolen Valor Act. This important law expands the penalties for falsely representing oneself as a recipient of any medal or honor authorized by Congress for the armed services.

In June 2012, the Supreme Court held in a case called *U.S. v. Alvarez* that the Stolen Valor Act inappropriately criminalized speech protected by the First Amendment. Specifically, the Court held that lying, even about having received a military decoration, is, by itself, protected speech. The Court, however, did note in this same case:

In periods of war and peace alike, public recognition of valor and noble sacrifice by men and women in uniform reinforces the pride and national resolve that the military relies upon to fulfill its mission.

The Court also provided that false claims about military decorations demean the high purpose of such awards. This harm alone does not overcome the high level of scrutiny afforded protected speech. However, the Court did find:

Where false claims are made to effect a fraud or secure moneys or other valuable considerations, say offers of employment, it is well established that the government may restrict speech without affronting the First Amendment.

H.R. 258, the Stolen Valor Act of 2013, narrows the law to make it a crime when people falsely claim to be a recipient of military decorations in order to carry out a fraud. The bill rewrites the statute to prohibit holding oneself out to be a recipient of certain military decorations or medals with the intent to obtain money, property, or